

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/086,008 Conf. No.: 1078
Inventor: Jacquelyn Annette Martino
Filed: February 28, 2002
TC/AU: 2623
Examiner: James R. Sheleheda
Docket No.: US020031 (PHB-10-6235)
Customer No.: 24737

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

December 17, 2007

REPLY BRIEF

Dear Sir:

In response to the Examiner's Answer mailed October 17, 2007, please reconsider the above-identified application in view of the following comments:

Remarks/Arguments begin on page 2 of this paper.

REMARKS/ARGUMENTS

Claims 1, 10, and 15

Independent claim 1 recites, *inter alia*, a processor being configured to accept search results; a user interface being adapted to apply control signals responsive to user input indicating a first feature of each of the search results; the processor being configured to generate display data including multiple symbols corresponding to respective ones of the search results such that ones of the search results having a same value of the first feature are aggregated such that the ones are displayed as a single symbol. Claims 10 and 15 recite similar aspects.

In the Examiner's Answer, the Office asserts that Eick teaches such claim aspects. More particularly, the Office asserts that when a user selects a particular letter, the user is initiating an alphabetical search, and in response to the search, the system aggregates the search results around their corresponding first letter. The Office further asserts that a subsequent selection of a particular letter then results in the expanding of the aggregated search results. Applicant traverses the assertion and respectfully submits that the Office incorrectly interpreting Eick.

As disclosed in Eick, program schedule data, including a large schedule of data items, is stored in local RAM to expedite "filtering" of the data items. (See column 2, lines 48-53; column 3, lines 11-13; and column 10, lines 56-60). The large schedule of data items may include at least 300 individual channels for a time-period of at least a week. (See column 3, lines 9-11). The data items are then "filtered" into a sub-group according to attributes selected by the user. (See column 2, lines 52-55). The resulting sub-group is then displayed to the user, and the user may select a data item of interest. (See column 2, lines 55-58; and column 3, lines 14-20). As shown in Figs. 16-22, sequential filtering of the large schedule of data items can be used to sequentially filter out data items not of interest.

Hence, Eick is in direct contrast to claim 1, which requires aggregating search results having a same value of a first feature are aggregated such that those search results are displayed as a single symbol. Thus, Eick fails to disclose the subject claim aspects, and the rejection of claims 1, 10, and 15 (and the claims that depend therefrom) should be reversed.

Claims 2 and 11

Claim 2, which depends from claim 1, requires that the display data include symbols corresponding to multiple instances of a subset of the search results having a second feature and the same value of the first feature in which each of the subset of the search results is selectively displayable by the user interface developed along a second axis of the display area. Claim 11 recites similar aspects.

In the Examiner's Answer, the Office states Eick teaches displaying results having first and second features along a second axis as shown in Fig. 23. However, Fig. 23 shows a grid in which programs can be displayed as a function of channel and time. In particular, Eick, *et al.* teaches that time is displayed along a first axis and channels are displayed along a second axis, and a television program is placed into the grid according to the channel that will air the program and the time the program will be aired.

Using such a grid is in contrast to outputting the symbols for display by the user interface in the format of a list extending along a first axis of a display area (claim 1) in which each of the search results is selectively displayable by the user interface developed along a second axis of the display area as required by claim 2. Accordingly, the rejection of claims 2 and 11 should be reversed.

Claim 7

Claim 7, which indirectly depends from claim 1, requires the ones may be selectively aggregated about chosen second features. In the Examiner's Answer, the Office asserts that Eick specifically discloses aggregating programs around a first feature

Application No. 10/086,008
Reply Brief: December 17, 2007
Reply to Examiner's Answer Dated: October 17, 2007

and then around a second feature. The Office cites column 9, lines 55-58, of Eick to support this assertion. However, column 9, lines 55-66, of Eick is directed to a first filtering of the locally stored large schedule of program data items. As noted *supra*, this section of Eick discloses that a large schedule of program data items is stored in local RAM to expedite "filtering" and subsequently filtered. Therefore, the cited section of Eick does not teach or suggest claim 7, and the rejection of claim 7 should be reversed.

Conclusion

In view of the foregoing, it is submitted that the pending claims distinguish patentably and non-obviously over the prior art of record. An early indication of allowability is earnestly solicited.

Respectfully submitted,
DRIGGS, HOGG & FRY CO., L.P.A.



Anthony M. Del Zoppo, III Reg. No. 51,606
Driggs, Hogg & Fry Co., L.P.A.
38500 Chardon Road
Willoughby Hills, Ohio 44094
Phone: 1.440.391.5100
Fax: 1.440.391.5101

Please direct all further correspondence to:

Yan Glickberg, Registration No. 51,742
Philips Intellectual Property & Standards
595 Miner Road
Cleveland, Ohio 44143
Phone: (440) 483-3455
Fax: (914) 332-0615